

RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSNICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
JOHN M. GUYNN  
CHARLES L. ROBERTS  
DANA L. TANGREN  
ERIC L. MASCHOFF  
CHARLES J. VEVERKA  
ROBYN L. PHILLIPS  
RICHARD C. GILMORE \*  
STERLING A. BRENNAN  
R. BURNS ISRAELSEN  
DAVID R. TODD  
DAVID B. DELLENBACH  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED

# WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE: (801) 533-9800  
FAX: (801) 328-1707  
WEBSITE: [HTTP://WWW.WNLAW.COM](http://WWW.WNLAW.COM)

VIA eFILE

PATENT APPLICATION  
Docket No. 13768.810.77

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of



R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
WILLIAM R. RICHTER  
ROBERT E. AYCOCK  
JENS C. JENKINS  
MICHAEL B. DODD  
BRETT A. HANSEN  
BRETT I. JOHNSON  
KEVIN W. STINGER  
RYAN D. BENSON  
SARA D. JONES  
TIGE KELLER  
JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
MATTHEW A. BARLOW  
WESLEY C. ROSANDER  
ANDREW S. HANSEN  
CHAD E. NYDEGGER  
JOSEPH G. PIA  
CLINTON E. DUKE  
RYAN N. FARR  
JAMES B. BELSHE  
KIRK R. HARRIS  
MICHAEL M. BALLARD  
DAVID A. JONES  
SHANE K. JENSEN  
JONATHAN M. BENNS, PH.D.  
SCOTT A. WOODBURY  
JOHN T. GADD  
MARK W. FORD  
AARON M. SMITH

VERNON R. RICE §  
OF COUNSEL

Serial No.: 09/997,616 ) Art Unit  
Filed: November 29, 2001 ) 3623  
Conf. No.: 7399 )  
For: AUTOMATED JOB SCHEDULING BASED ON )  
RESOURCE AVAILABILITY )  
Examiner: Peter H. Choi )  
Customer No.: 47973 )

## TRANSMITTAL FOR REQUEST FOR CONTINUED EXAMINATION

VIA eFILE RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 for the above-identified application.

A. Enclosed

An Amendment "B" and Response for entry in the present application.

The fee has been calculated as follows:

|                                                             |                                       |                  | SMALL ENTITY |               | LARGE ENTITY |               |
|-------------------------------------------------------------|---------------------------------------|------------------|--------------|---------------|--------------|---------------|
| CLAIMS<br>REMAINING<br>AFTER                                | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA | RATE         | ADDT'L<br>FEE | RATE         | ADDT'L<br>FEE |
| TOTAL<br>13                                                 | MINUS<br>47                           | =<br>0           | X            |               | X \$50.00    | 00.00         |
| INDEPENDENT<br>I                                            | MINUS<br>3                            | =<br>0           | X            |               | X \$200.00   | 00.00         |
| 1 <sup>st</sup> PRESENTATION OF MULTIPLE DEPENDENT<br>CLAIM |                                       |                  | + _____      |               | + _____      |               |
|                                                             |                                       |                  | <b>TOTAL</b> |               | <b>TOTAL</b> | 00.00         |

- X Payment in the amount of \$790.00 using the Credit Card payment option in E-Filer with RAM will be used to cover the payment of the fees with respect to this Request for Continued Examination.
- X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178.
- X Any additional filing fees required under 37 CFR § 1.16.

Dated this 7<sup>th</sup> day of February, 2007.

Respectfully submitted,



RICK D. NYDEGGER  
Registration No. 28,651  
J. LAVAR OLDHAM  
Registration No. 53,409  
Attorneys for Appellant  
Customer No. 47973